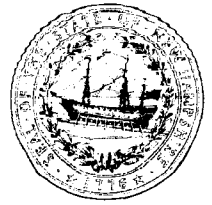




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

LETTER OF DEFICIENCY

No. WD SS 06-002

February 15, 2006

Mr. Richard Fortune, Installer #164
51 Rte. 103
Warner, NH 03278

Gladys and Eugene Newbegin ✓
7 Runnels Loop
Warner, NH 03278

RE: Septic System Installation, 7 Runnels Loop, Warner, NH

Dear Mr. Fortune and Mr. and Mrs. Newbegin:

On December 27, 2005, personnel from the Department of Environmental Services, Water Division ("DES") received information from the Town of Warner concerning the Newbegin property, described as Lot # 83, on Tax Map # 10, and located on Runnels Loop, Warner, NH, 03278 ("the Property"). The purpose of this communication was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

As a result of the communication, and subsequent discussions with Mr. Fortune, the following deficiency was noted:

1. A septic system was installed on the Property sometime in 2003. This septic system was installed in a location different from the prior septic system, but no septic system plan was ever submitted to, or approved by, DES. Also, the septic system installation was never inspected by DES personnel prior to covering.

DES expects the above deficiency to be permanently corrected within 60 days by initiating and completing the following measures:

1. Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.
2. Obtain approval to construct the system.

3. Construct and obtain approval to cover and use the system, or demonstrate, through inspection, that the septic system already installed on the Property conforms to the approved plan.

4. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

DES believes the cited deficiencies will be corrected within 60 days and a report describing the corrective measures can be submitted to this office within 60 days of receipt of this letter.

In the event compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will inspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES
Department of Environmental Services
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,



William E. Evans, P.E.
Administrator
Subsurface Systems Bureau

WEE/RJD

CERTIFIED MAIL #7099 3400 0002 9773 0130

CERTIFIED MAIL #7099 3400 0002 9773 0161

Cc: James G. Falicon, SSB, DES

Gretchen Hamel, Administrator, DES Legal Unit

Board of Selectmen, Town of Warner

Richard J. de Seve, SSB, DES